

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CURTIS O. JACKSON,

Plaintiff,

Case No.: 1:13-cv-1297

v.

HONORABLE PAUL L. MALONEY

CATHY STODDARD, et al.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Phillip J. Green in this action (ECF No. 69). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court. Therefore, for the reasons stated in the Report and Recommendation,

IT IS ORDERED that all of plaintiff's claims for damages against defendants in their official capacities are **DISMISSED WITH PREJUDICE** as they are barred by Eleventh Amendment Immunity.

IT IS FURTHER ORDERED that plaintiff's claim seeking injunctive relief against defendant Stoddard is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that defendants' motion for partial summary judgment (ECF No. 21) is **GRANTED**. All of plaintiff's claims for damages against defendants in their individual capacities, except for those claims excluded from defendants' motion, are **DISMISSED**. The remaining claims are plaintiff's claim of violation of his Eighth Amendment rights by defendant Stoddard and plaintiff's claim of violation of his First Amendment rights by defendants Novak and Hogle.

Dated: February 29, 2016

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge